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KCNIN THE MIDDLE DISTRICT COURT OF PENNSYLVANIA

DONALD Cornelius GENTRY

V.

JAMES M. MORGAN, SUPERINTENDANT

FILED
SCRANTON

CIVIL CASE NO. 1:CV:1675

NOV 03 2000

PER

DEPUTY CLERK

MOTION FOR Release OF DOCUMENT, SERVICE OF THE COMPLAINT
ON THE DEFENDANT AND TEMPORARY RESTRAINING ORDER

NOW COMES THE PLAINTIFF, DONALD GENTRY IN THE ABOVE CIVIL MATTER WHO BEARS INMATE NO CB-3431 AND WHOM IS NOW CURRENTLY INCARCERATED AT THE STATE CORRECTIONAL INSTITUTION AT SMITHFIELD WHICH IS LOCATED AT PO. BOX 999, 1120 PIKE ST IN HUNTINGDON PA. WHOM NOW COME BEFORE THE COURT BY AND THROUGH THIS MOTION IN REQUEST OF THE ABOVE AND GIVE THE FOLLOWING IN SUPPORT OF WITH TWO ATTACHED EXHIBITS:

1. ON SEPTEMBER 14-2000 I THE PLAINTIFF FILED A PRO SE 1983 CIVIL COMPLAINT WITH YOUR HONORABLE COURT WHICH SET FORTH SEVERAL ALLEGATIONS AGAINST THE INSTITUTIONAL MEDICAL DEPARTMENT WHICH WAS SENT TO THE COURTS FOR CONSIDERATION ON SEPTEMBER 22-2000. BUT HAVE NOT YET RECEIVED ANY DOCUMENTS OR ANY WRITTEN DECISIONS FROM THE COURTS:

2. THE PLAINTIFF HAS BEEN THREATEN AND HARASSED ON SEVERAL OCCASIONS BY THE FOLLOWING PRISON OFFICIALS WHO REFUSE TO GIVE ME MY MAIL, SEND MAIL OUT ALLOW ME TO CORRESPOND WITH THE COURTS AND WITH ANY ATTORNEYS OR INSTITUTIONAL STAFF THROUGH THE INSTITUTIONAL REQUEST AND GRIEVANCE SYSTEM. PRIOR LT. B. S. LEAR THE DEPARTMENT OF CORRECTIONS WAS NOT GOING TO GIVE ME NO MEDICAL TREATMENT AND I WAS NOT GOING TO WIN NO MONEY AS LONG AS HE WORKS FOR THE DEPARTMENT OF CORRECTIONS. THIS "LT" ALSO THREATEN TO KILL ME. I PERSONALLY SAW HIM, SGT SMITHBOWER, OFFICER BILHELL AND SEVERAL OTHER OFFICERS RIP UP MY OUT GOING MAIL. ALTHOUGH I'VE WRITTEN TO THE SUPERINTDENT ABOUT THIS MATTER NO ACTIONS HAS BEEN TAKING AND THE STAFF HAS CONTINUED TO HARASS ME.
3. THE PLAINTIFF REQUEST THAT THE COURTS MAKE SERVICE OF THE COMPLAINT ON ALL OF THE DEFENDANTS AND ORDER THEM TO TAKE THE PLAINTIFF TO A SKIN SPECIALIST OR HAVE A SKIN SPECIALIST COME TO SEE THE PLAINTIFF IMMEDIATELY DO TO THE FAC-
~~THAT~~ THAT THE PLAINTIFF CONTINUES TO SUFFER FROM A VERY BAD FACIAL SKIN IRRITATION. IN WHICH THE INSTITUTION HAS FAILED TO TREAT ME FOR. AND EVERY TIME THE PLAINTIFF COMPLAINS TO THE DEFENDANTS THEY TELL HIM THAT HE'S A LICK. AND REFUSE HIM TREATMENT WITHOUT A EXAMINATION.

4. THE PLAINTIFF NEEDS COPIES OF THE WHOLE MEDICAL RECORDS CONCERNING THIS MATTER AND COPIES OF HIS COMPLETE GRIEVANCE FILE FROM THE INSTITUTIONAL SUPERINTENDANT'S OFFICE AND WELL AS HIS MISCONDUCT RECORDS AND DOCTOR AND STAFF REPORTS TO FAITHFULLY AND SUCCESSFULLY FILE A AMENDED COMPLAINT.

5. THE PLAINTIFF ALSO SET FORTH THE FOLLOWING NAMES AND ADDRESSES OF THE PEOPLE THAT HE HAVE WRITTEN TO THAT WILL ALWAYS RESPOND TO HIS MAIL BUT SIMPLY RECEIVED NO RESPONSE. IN THE FOLLOWING ORDER

1. PASTOR, CHARLES GENTRY

2309 RUFFIN RD

RICHMOND VA. 22234

(804) 232-0446

→ MY FATHER

2. MRS PATSY GENTRY

P.O. Box 674

FLEISCHMANN'S NY 12430

→ MY SISTER IN LAW

3. THE INSTITUTIONAL LAW PROJECT

c/o ANGUS LOVE

924 CHERRY ST / 5TH FLOOR

PHILADELPHIA PA. 19107

→ A ATTORNEY

4. PA PRISON SOCIETY

2000 SPRING GARDEN ST

PHILADELPHIA PA. 19130

→ HELP TO INMATES

THEREFOR THE PLAINTIFF HONORABLE REQUEST THAT
YOUR HONORABLE COURT CONSIDER THE FOLLOWING MOTION
AND GRANT THE PLAINTIFF A TEMPORARY RESTRAINING
ORDER, THE REQUESTED DOCUMENTS AND ORDER THE
US MARSHAL SERVICE TO SERVE A COPY OF THE
COMPLAINT ON THE DEFENDANTS WITH A ORDER TO
PROPER TREAT THE PLAINTIFF THE PLAINTIFF ALSO
REQUEST THE COURT TO ORDER THE DEFENDANTS
TO HAVE THE PLAINTIFF SEEN BY A SKIN SPECIALIST

YOURS VERY TRULY

Donald Gentry

DONALD GENTRY CB-3431
SCI - SMITHFIELD

PO. BOX 999, 1120 PIKE ST
HUNTINGDON PA. 16822

AFFIDAVIT OF SERVICE

I DO CERTIFY THAT I'VE SENT A TRUE COPY
OF THIS DOCUMENT TO THE FOLLOWING PEOPLE WHO
ARE DEFENDANTS IN THE ABOVE MATTER OR THE
SUPERIOR OF THE DEFENDANTS AT THE FOLLOWING
ADDRESS AND NAMES ABOVE: THROUGH FIRST CLASS
MAIL

[SUPERINTDANT, JAMES MORGAN]

SCI - SMITHFIELD

PO. BOX 999, 1120 PIKE ST

[HUNTINGDON PA. 16652]

[MR GEORGE WEAVER]

SCI - SMITHFIELD MEDICAL DEPT

PO. BOX 999 1120 PIKE ST

[HUNTINGDON PA. 16652]

[WEXFORD HEALTH SOURCE]

381 MANSFIELD AVE / SUITE 205

[PITTSBURG PA. 15220]

DATE: 10/28/00

Donald Gentry

DONALD GENTRY CB-3431

SCI - SMITHFIELD

PO. BOX 999, 1120 PIKE ST

HUNTINGDON PA. 16652

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
TO THE BEST OF MY KNOWLEDGE

Donald Gentry

COURTS COPY

EXHIBIT A

Form DC-135A		Commonwealth of Pennsylvania Department of Corrections	
INMATE'S REQUEST TO STAFF MEMBER		INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.	
CC: SHARON BURKS, Files			
1. To: (Name and Title of Officer) MRS SHARON BURKS		2. Date: OCTOBER 2-2000	
3. By: (Print Inmate Name and Number) MR DONALD GENTRY CB-3431 Donald Gentry Inmate Signature		4. Counselor's Name MISS ANGELA ZIMMERMAN	
		5. Unit Manager's Name MR S. BURK	
6. Work Assignment		7. Housing Assignment J/A CELL 2	
8. Subject: State your request completely but briefly. Give details. MRS BURKS I'm writing in request of all of the GRIEVANCES IN MY AND APPEALS FROM THE SUPERINTENDANTS OFFICE SO THAT I CAN PROPERLY DRAW UP A AMENDED COMPLAINT TO THE UNITED STATES DISTRICT COURTS. THESE GRIEVANCES SHOULD BE IN REGARDS TO MAIL, MEDICAL TREATMENT, PRISONER ABUSE, REFUSAL OF ACCESS TO THE COURTS. AND VERY POOR HOUSING. IF YOU WOULD PLEASE TAKE OUT THE TIME TO COPY AND SEND ME THESE DOCUMENTS IT WOULD BE VERY DEARLY APPRECIATED.			
YOURS TRULY Donald Gentry			
9. Response: (This Section for Staff Response Only)			
NO RESPONSE			
To DC-14 CAR only <input type="checkbox"/>		To DC-14 CAR and DC-15 IRS <input type="checkbox"/>	

Staff Member Name _____ / _____ Date _____
 Print Sign

EXHIBIT B

TWO ATTACHMENTS

Page 1
DC-135A

INMATE'S REQUEST TO STAFF MEMBER

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

OCTOBER 25-2000

1. TO: (NAME AND TITLE OF OFFICER) MRS SHARON BURKS		2. DATE OCT-20-2000
3. BY: (INSTITUTIONAL NAME AND NUMBER) MR. DONALD GENTRY CB-3431		4. COUNSELOR'S NAME MISS ZIMMERMAN
5. WORK ASSIGNMENT	6. QUARTERS ASSIGNMENT J/A CC11 2	
7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS. MRS BURKS. I'm writing you in this brief complaint through the inmate DC-135-A request system to staff in hopes of receiving your help and assist as well as actions against the R-H-U staff and officers whom are currently abusing me and denying me my do process rights to communicate with staff through the inmate DC-135-A request forms to staff. I've been refused these forms as well as cash slips, sick call slips, grievance forms and certified mail forms. By officer Bithell, officer MAGAN Sgt D. Smith Bower, Lt. B-S. Lape. and any other officer who works the R-H-U. The only way I can get these forms is to fish them under the door in my cell from other inmates on the block. I've also been threaten with.		
8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)		

EXHIBIT B

☐ TO DC-14 CAR ONLY☐ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

DC-135A INMATE'S REQUEST TO STAFF MEMBER	COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS INSTRUCTIONS Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently. OCTOBER 25-2000	
1. TO: (NAME AND TITLE OF OFFICER)	2. DATE	
3. BY: (INSTITUTIONAL NAME AND NUMBER)	4. COUNSELOR'S NAME	
5. WORK ASSIGNMENT	6. QUARTERS ASSIGNMENT	
7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.		
DEATH SEVERAL TIMES BY LT. B. S. LEAR ON OCT 8TH THROUGH OCT 14TH 2000. SGT D. SMITHBOWER HAS ALSO HARASSED ME SEXUALLY DURING A STRIP SEARCH TO EXIT THE R-H-U SHOWER. WHEN I ASKED HIM NOT TO HARASS ME HE STATED YOU GOT YOUR SELF IN THIS MESS NOW YOU CAN'T TAKE IT. HE THEN STATED I HAVE NOT STARTED TO HARASS YOU YET. WAIT UNTIL I DO. OFFICER BITHELL TOLD ME I AIN'T GIVING YOU NOTHING. NOT ONLY DO THESE OFFICER TAKE MY MAIL AND HARASS ME BUT THEY WALK AROUND THE BLOCK TALKIN ABOUT ME TO THE OTHER INMATES THEY ALSO STICK ME FROM OUT SIDE MY R-H-U WINDOW. AND I HAVE SENT YOU SEVERAL REQUEST SLIPS CONCERNING THIS MATTER BUT SIMPLY RECEIVED NO RESPONSE. I'VE ALSO BEEN REFUSED A RIGHT TO WRITE TO		
8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)		
<div style="text-align: center; font-size: 2em; font-family: cursive;">EXHIBIT B</div> <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> TO DC-14 CAR ONLY <input type="checkbox"/> TO DC-14 CAR AND DC-15 IRS </div>		
STAFF MEMBER	DATE	

DC-135A

INMATE'S REQUEST TO STAFF MEMBER

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF CORRECTIONS

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

OCTOBER 25-2000

1. TO: (NAME AND TITLE OF OFFICER)

MRS SHARON BURKS

2. DATE

25-2000
OCT 25-2000

3. BY: (INSTITUTIONAL NAME AND NUMBER)

DONALD GENTRY CB-3431

4. COUNSELOR'S NAME

Miss Zimmerman

5. WORK ASSIGNMENT

6. QUARTERS ASSIGNMENT

I/A

Cell 2

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

AND COMMUNICATE WITH MY CRIMINAL ATTORNEY OR THE COURTS BY TELEPHONE. ALTHOUGH I HAD PROOF OF A OCT 18-2000 LEGAL DEAD LINE. MY COUNSELOR ANGELA ZIMMERMAN SIMPLY REFUSED TO ALLOW ME TO CALL MY LEGAL COUNSEL. AND EVERY TIME SHE COMES AROUND SHE'S ESCORTED BY A OFFICER WHEN I GO TO THE DOOR TO ASK HER QUESTIONS SHE JUST WALK AWAY NONE OF THE OTHER COUNSELORS ARE ESCORTED JUST MY COUNSELOR. MY LAST COMPLAINT IS ON OCT 25-2000 I DID RECEIVE A LEGAL LETTER FROM THE COURTS WHICH HAD ALREADY BEEN OPENED AND THATS A VIOLATION. OFFICER SAKO IS MY WITNESS TO THIS BECAUSE HE DELIVERED THE OPEN PACKAGE TO ME. Faithfully Smithed 10/25/00

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

Exhibit B

☐ TO DC-14 CAR ONLY☐ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

ATTACHMENT

DONALD GENTRY CIB-3413

SCE-SMITHFIELD

Po. Box 999, 1120 Pike St

HUNTINGDON PA. 16652

MR. ROBERT B. STEWART
HUNTINGDON CO ATTORNEYS OFFICE
300 PENN ST
HUNTINGDON PA. 16652

"OCT 27-2000"

INMATES COMPLAINT AND REQUEST OF CRIMINAL CHARGES AGAINST PRISON STAFF AND OFFICIALS

DEAR MR STEWART

I'M A INMATE WHOM IS CURRENTLY HOUSED AT THE STATE CORRECTIONAL INSTITUTION AT SMITHFIELD WHICH IS LOCATED HERE IN HUNTINGDON PA. WHOM HAVE EXPERINCED MANY UNHUMAN AND CRUEL DIFFERULTIES WITH THE STAFF WHERE I WAS MINOR ASSAULTED BY A OFFICER ON AUGUST 25-2000 AT 14:00. IN WHICH OFFICE TICCONI ESCORTED ME FROM THE R-H-U SHOWER AREA TO MY CELL. AFTER I WAS IN MY CELL HE ATTEMPTED TO BREAK MY ARM WHILE TAKING THE HANDCUFFS OFF. BY SWISSING MY HAND SO FAR BACK THAT IT SWOLL UP I WAS THEN MOVED TO ANOTHER HOUSING UNIT WHERE I WAS REFUSED MY MAIL. THREATIN BY LT. B.S. LEAR. AND HARASSED BY OFFICER BITHELL AND SGT D. SMITHBOWER, WHEN I ATTEMPTED TO WRITE TO THE INMATE GRIEVANCE

OFFICER MRS SHARON M. BURKS SHE REFUSED TO RESPOND OR INVESTIGATE MY CLAIMS. AND WHEN I WROTE TO THE MAJOR MAJOR DALE NORRIS HE SIMPLY GAVE MY COMPLAINT TO LT LEAR AND ORDERED HIM TO HARASS ME MORE. THE MORE I COMPLAINED THE MORE THE STAFF THREATIN AND HARASSED ME. PRIOR LT LEAR I COULD WRITE ALL I WANT TO BECAUSE IT WAS NOT GOING TO DO NO GO. ON SEVERAL OCCASIONS HE ALSO THREATIN TO KILL ME. SGT SMITHBOWER HAS THREATIN ME ALSO BY SAY I HAVE NOT HARASSED YOU YET, WAIT UNTIL I START TO HARASS YOU. I HAVE NOT RECEIVED ANY MAIL IN SEVERAL MONTHS FROM ANY ONE OTHER THEN ONE LEGAL PACKAGE FROM THE UNITED STATES DISTRICT COURTS WHICH HAD ALREADY BEEN OPENED AND THE OFFICERS HAD TAKING WHAT THEY WANTED OUT OF IT.

I've written letters to my criminal attorney Mr. Paul Schemel of 13 West Main St Waynesboro VA. Whom always write back but simply received no response. These letters was handed out of my cell to Sgt D. SmithBower, AND Sgt D. SmithBower, OFFICER Bithell OR OFFICER Mayen is usually the officer who gives out the mail. But I never receive my mail. ON September 14, 2000 I Pro Se Filed A 1983 Law suit asking the middle DISTRICT COURT to assist me in receiving medical treatment. HOWEVER THE OFFICERS ARE DESTROYING my MAIL. AND TREATING me VERY CRUEL. I'm NOT ALLOWED TO WRITE OR TALK TO my COUNSELOR, WHEN she makes her weekly ROUNDS she's ALWAYS WITH A OFFICER. AND WHEN I START TO ASK HER QUESTIONS she JUST WALK AWAY FROM my cell. I've BEEN REFUSED TELEPHONE CALLS TO my ATTORNEY. AND I've HEARD NURSE ~~XXXX~~ Kell,

~~XXXX~~ Tell ANOTHER INMATE DURING her ROUNDS MORE THEN ONCE THAT I'm ABOUT TO get KILLED. WHEN I ASKED her ABOUT my medication THE NEXT DAY she rolled her eyes AND THE Sgt. Sgt SmithBower told me to TAKE my MEDS BECAUSE THE NURES DID NOT HAVE TIME TO ANSWER my QUESTIONS. THERES CURRENTLY ALOT OF CORRUPTION going ON HERE. THE OFFICERS ARE COMING TO WORK DRUNK, THE NURSES ARE ALLOWING THE INMATES TO Die. JUST A FEW MONTHS AGO A INMATE DIED ON THE MAIN YARD

All BECAUSE the medical STAFF took over 20 min to come to his aid. ALTHOUGH I WAS IN LOCK UP AT THE TIME I HEARD THAT NURES SUSAN STATES AND NURES K. ALLEN WAS ON DUTY AND AFTER 20 mins came out WALKING VERY SLOW TO A Dying INMATE WITH A WHEEL CHAIR. I'm NOT VERY good AT CRIMINAL LAW BUT IF NOTHING MORE I WOULD APPRECIATE it IF you WOULD come OUT TO THE PRISON AND SPEAK WITH me. There WILL BE NO USE IN WRITING BECAUSE STAFF WILL ONLY TAKE your LETTER AND DESTROY it.

Yours Very Truly
 David G. Smith